

Meeting Date: Nov.13-15, 2007

Agenda Item No. 9

Agenda Item: Ratification of Rules

Bureau Chief Approval: _____

Prepared by: W. Dallas Burkhalter
Deputy Attorney General

Background: As part of the rulemaking process under the Idaho Administrative Procedures Act (IDAPA), the Commission needs to adopt as **Pending Rules** those Temporary/Proposed Rules previously promulgated during the last rulemaking year. We have referred to this process as 'ratification' because the Commission is formally approving rules which it has already promulgated. This approval is needed for the rules to be reviewed by the 2007 Legislature. If the Pending Rules are accepted by the legislature, the rules will become Final Rules.

Statutory Authority and/or Policy issues: The IDAPA provision for adopting Pending Rules and the legislative review process is Idaho Code Section 67-5224. There are no policy issues. This is an annual step in the rulemaking process.

Public Involvement Process: The public involvement process has already occurred during previous Commission meetings and Department open houses. No additional public comments were received after the Temporary/Proposed Rules were filed and published.

Staff Recommendation: I recommend that the Commission adopt as **Pending Rules** the following Temporary/Proposed Rules:

- 1) IDAPA 13.01.04 Rules Governing Licensing, Docket No. 13-0104-0701
- 2) IDAPA 13.01.08 Rules Governing the Taking of Big Game Animals, Docket No. 13-0108-0701
- 3) IDAPA 13.01.09 Rules Governing the Taking of Game Birds, Docket No. 13-0109-0701
- 4) IDAPA 13.01.12 Rules Governing Commercial Fishing, Docket No. 13-0112-0701
- 5) IDAPA 13.01.17 Rules Governing the Use of Bait for Taking Big Game Animals, Docket No. 13-0117-0501

Justification: This is a required step in the IDAPA rulemaking process.